



ATTORNEY'S DOCKET NO. C1039/7048(AWS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Krieg et al.
Serial No. : 09/818,918
Conf. No. : 4953
Filed : March 27, 2001
For : IMMUNOSTIMULATORY NUCLEIC ACIDS

Examiner : unknown
Art Unit : 1633

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 27th day of June, 2002.

Yvonne M. Lingo
Yvonne M. Lingo

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 with references cited
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No check is enclosed. If it is determined that there is a fee, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Alan W. Steele

Alan W. Steele, Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7048 (AWS)

Dated: June 27, 2002

xx



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Yvonne M. Lingo
Yvonne Lingo

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. The Applicant hereby makes the following additional information of record in the above-identified application. The following are related pending U.S. nonprovisional patent applications (copies enclosed) which do not appear on the 1449 form:

Docket No.	Serial No.	Filing Date	Inventor(s)
C1040/7006	09/316,199	05-21-1999	McCluskie et al.
C1039/7020	09/337,584	06-21-1999	Krieg et al.
C1039/7023	09/337,636	06-21-1999	Krieg
C1039/7022	09/337,893	06-21-1999	Krieg
C1039/7029	09/415,142	10-09-1999	Krieg et al.
C1039/7043	09/629,477	07-31-2000	Krieg et al.
C1039/7041	09/655,319	09-05-2000	Krieg et al.
C1039/7035	09/669,187	09-25-2000	Krieg et al.
C1037/7013	09/776,479	02-02-2001	Bratzler et al.
C1039/7049	09/824,468	04-02-2001	Krieg et al.
C1039/7060	10/112,653	03-29-2002	Krieg et al.

The following are related PCT Publications (copies enclosed) which were published after the priority date and do not appear on the 1449 form:

Publication No.	Date of Publication
WO 98/18810	05-07-1998
WO 98/37919	09-03-1998
WO 98/40100	09-17-1998
WO 98/52581	11-26-1998

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Arthur M. Krieg, et al., Applicant(s)

By: 

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600 Atlantic Avenue
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